

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

August 16, 2006

A regular meeting of the New Hampshire Board of Pharmacy was held on **August 16, 2006** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:06 a.m.** with President Kristina Genovese presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Kristina Genovese, President
George L. Bowersox, Vice-President
Vahrij Manoukian, Treasurer
Sandra B. Keans, Secretary
Margaret E. Hayes, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Margaret A. Clifford,
Compliance Investigator
Carl T. Kelly,
Compliance Investigator

ABSENT

Peter A. Grasso, Chief Compliance Investigator

ALSO ATTENDING

Stacy Hebert – P4 Student Massachusetts College of Pharmacy and Health Sciences – Boston Campus. Guest of Commissioner Petrin.

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **July 19, 2006 regular meeting** of the Board were accepted as submitted. **(Manoukian/Petrin). Voted (passed – Commissioners Bowersox and Hayes abstained).**

III. LICENSING

A. Pharmacists

Voluntary Surrender

KELLERMAN, Thomas F.

Bedford, NH

-NH License No. R1130

-Case File: ROI 52/06

Motion (Petrin/Manoukian) to accept the *Voluntary Surrender* of pharmacist license No. R1130 issued to Thomas F. Kellermann effective immediately. Voted (unanimous).

B. Pharmacy Technicians

Voluntary Surrender

MASON, Christine

Plymouth, NH

-NH Registration No. PT2689

-Case File: ROI 56/06

Motion (Manoukian/Keans) to accept the *Voluntary Surrender* of pharmacy technician registration No. PT2689 issued to Christine Mason effective immediately. Voted (unanimous).

C. Pharmacy (Mail-Order/Non-Resident)

Disciplinary

CITY VIEW PHARMACY

Federal Heights, CO

-NH Registration No. None

-Case File: ROI 35/05

Motion (Manoukian/Bowersox) to accept a proposed *Settlement Agreement*, submitted on behalf of City View Pharmacy, the conditions of which include the assessment of a \$5,000 civil fine (of which \$1,000 is stayed). Voted (passed – Commissioner Hayes abstained).

IV. COMPLIANCE UNIT

Activity Report

- July 2006

Motion (Manoukian/Hayes) to accept the report as submitted. Voted (unanimous).

V. OLD BUSINESS

A. Collaborative Practice for Emergency Contraception

Chapter Ph 1000 Emergency Contraception.

Motion (Manoukian/Petrin) to adopt *Chapter Ph 1000 Collaborative Practice for Emergency Contraception* (Document #8708) effective August 23, 2006 (expiration date: August 23, 2014). Voted (unanimous).

VI. NEW BUSINESS

A. Transfer of Prescription Information

Pursuant to a request for opinion on the use of fax for the transfer of prescription information between pharmacies, the Board reviewed the provisions of *Ph 704.04 Transfer of Prescriptions*, specifically section (a) of that rule.

The Board is of the opinion that a fax communication, between two (2) pharmacists, does in fact satisfy Ph 704.04(a) and is allowable for the transfer of prescription information between 2 licensed pharmacies. However, transfers using fax are applicable **only to non-controlled**, prescription drugs.

The staff was directed to develop a model form, to include all of the elements required by Ph 704.04, and to provide this new information (and model form) to all NH licensed pharmacies.

B. Emergency Dispensing of Antiretroviral Drugs

Sandra Matheson, Director

Attorney General's Office of Victim Witness Assistance

The Board reviewed the provisions of *Ph 709.07 Drug Control in Ambulatory Patient Treatment Areas* pursuant to a request that would allow **hospital**

emergency rooms to dispense a **one-time, 30-day supply** of antiretroviral drugs (properly labeled) specifically for the treatment of rape and/or assault victims who may have been subjected to risks of contracting HIV or AIDS.

Motion (Bowersox/Petrin) to waive Ph 709.07(a) and to allow for the dispensing of antiretroviral drugs in the emergency room but only as delineated in the paragraph immediately preceding this motion. Voted (unanimous).

The meeting was recessed at 12:05 P.M. for purposes of meeting with the Board's legal counsel from the Attorney General's Office. The meeting was called back to order at 12:35 P.M. and the agenda business of the Board resumed.

A non-public session was called (Manoukian/Keans) at 12:52 P.M. with Commissioners Bowersox, Genovese, Hayes, Keans, Manoukian, and Petrin present.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.

The non-public session was adjourned at 1:08 P.M.

Following a short break, the Board engaged in discussions relative to issues affecting the practice of pharmacy and the identification of areas needing statutory attention. ES Boisseau was directed to explore the availability of a House or Senate member who would be interested in helping to develop and sponsor legislation for introduction during the 2007 legislative session.

The Board also discussed and prioritized various practice-related areas that will be subject to the next round of rulemaking.

VII. ADJOURNED 4:08 P.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD